

January 31, 2011

Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554



Re: Notice of *Ex Parte* Presentation
MM Docket No. 99-25 (Creation of Low Power Radio Service)

Dear Ms. Dortch:

On Thursday, January 27, 2011, Brandy Doyle and Pete Tridish of Prometheus Radio Project ("Prometheus"), accompanied by the undersigned of Media Access Project, counsel to Prometheus, met with Joshua Cinelli, Media Advisor to Commissioner Michael J. Copps, to discuss matters in the above-captioned docket. Separately, the undersigned also spoke briefly to Mr. Cinelli by telephone on Monday, January 31, 2011, regarding the same matters.

In both instances, the Prometheus representatives presented their views on the recently passed Local Community Radio Act of 2010 ("LCRA"), reiterating the positions taken in the Prometheus submission made in this docket on of January 7, 2011. They urged Commission action to ensure meaningful spectrum availability for LPFM stations in *every* community, in even the largest radio markets and urban centers from which LPFM had been effectively precluded prior to the LCRA's passage.

The Prometheus representatives also reiterated their contention that implementation of the current "ten-cap" solution, as constituted in the *Third Report and Order* in this docket, would have a preclusive impact on low power FM stations – both nationwide and in the vast majority of urban areas and major metropolitan markets. They pointed to the results of two studies filed in the docket by the organization Common Frequency, both of which demonstrate the predicted, impermissibly preclusive results of such an approach. As an alternate approach, the Prometheus representatives reaffirmed their support for their proposed resolution (jointly filed with Educational Media Foundation) for the disposition of Auction No. 83 FM translator applications, while also affirming their willingness to consider other alternatives or modifications that would ensure fair availability for LPFMs.

We submit this letter pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b). Please contact me should you have any questions regarding this submission.

Respectfully submitted,

/s/ Matthew F. Wood

cc: Joshua Cinelli